

SUPPORTING STATEMENT

Immigrant Petition by Alien Entrepreneur

Form I-526

OMB No. 1615-0026

A. JUSTIFICATION:

1. This information collection is mandated by Sections 121(b)(5) and 162(b) of the Immigration Act of 1990. Qualified immigrants seeking to enter the United States under section 203(b)(5) of the Immigration and Nationality Act, for the purpose of engaging in a commercial enterprise, must petition the U.S. Citizenship and Immigration Services by filing Form I-526 (Immigrant Petition by Alien Entrepreneur).

There have been minor changes to the instructions of the form to conform to current regulations and current USCIS policy regarding where the form should be filed. Additionally, Part 6 of the form has been slightly modified for the sake of clarity.

2. The data collected on this form will be used by the USCIS to determine eligibility for the requested immigration benefit. The form serves the purpose of standardizing requests for the benefit, and insuring that basic information required to determine eligibility is provided by applicants.
3. The use of this form currently provides the most efficient means for collecting and processing the required data. In this case, the USCIS does not employ the use of information technology in collecting and processing information. Currently, the USCIS does not have the automated capability in place to accept electronic submission of applications.

4. A review of the USCIS's Forms Inventory Report revealed no duplication of effort, and there is no other similar information currently available which can be used for this purpose. The required data elements to determine the eligibility of an investor could not be merged into other petition forms because it requires review of completely different facts than employment offers or other matters.
5. This collection of information does not have an impact on small businesses or other small entities.
6. Without the use of this information collection, an alien may not apply and the USCIS may not determine an alien's eligibility for special immigrant status.
7. There are no special circumstances applicable to this information collection.
8. The USCIS published a notice in the Federal Register, notified the public that it was extending a currently approved information collection. The notice allowed for a 60-day public review and comment period. No public comments were received.
9. The USCIS does not provide payment or gifts to respondents in exchange for a benefit sought.
10. There is no assurance of confidentiality.
11. There are no questions of a sensitive nature.
12. Annual Reporting Burden:

a.	Number of Respondents	1,368
b.	Number of Responses per Respondent	1
c.	Total Annual Responses	1,368
d.	Hours per Response	1.25
e.	Total Annual Reporting Burden	1,710
f.	Total Public Cost	\$ 495,900

Annual Reporting Burden

The annual reporting burden is 1,710. This figure was derived by multiplying the number of respondents (1,368) x frequency of response (1) x hours per response (1.25).

This estimation is based on prior USCIS experience with the program.

Public Cost

The estimated annual public cost is \$ 478,800. This is based on the number of respondents 1,368 x 1.25 hours per response x \$10 (average hourly rate) plus the number of respondents (1,368 x fee charge of \$480).

13. There are no capital or start-up costs associated with this information collection. Any cost burdens to respondents as a result of this information collection are identified in Item 14. However, there is a fee charge of \$480 associated with the filing of this information collection.

14. Annualized Cost Analysis:

a.	Printing Cost	\$	615
b.	Collection and Processing Cost	\$	478,185
c.	Total Cost to Program	\$	478,800
d.	Fee Charge	\$	478,800
e.	Total Cost to Government	\$	0

Government Cost

The estimated cost of the program to the Government is calculated by using the estimated number of respondents (1,368) multiplied (x) by the suggested \$480 fee charge, (which includes the suggested average hourly rate for clerical, officer, and managerial time with benefits, plus a percent for the estimated overhead cost for printing, stocking, distributing and processing of this form).

15. There has been no increase or decrease in the estimated burden hours previously reported for this information collection.
16. USCIS does not intend to employ the use of statistics or the publication thereof for this information collection.
17. The USCIS is seeking approval to not display the expiration date of OMB approval of this information collection. The display of the expiration date would require the USCIS to pull and destroy current forms in its inventory as well as the inventories of other agencies that contain outdated expiration dates, but could still be used by the public because the information requested on the form is still valid except for the expiration date.
18. The USCIS does not request an exception to the certification of this information collection. See attached Item 19 of Form OMB 83-I.

B. Collection of Information Employing Statistical Methods.

Not Applicable.

C. Certification and Signatures.

PAPERWORK CERTIFICATION

In submitting this request for OMB approval, I certify that the requirements of the Privacy Act and OMB directives have been complied with including paperwork regulations, statistical standards or directives, and any other information policy directives promulgated under 5 CFR 1320.

Richard A. Sloan
Director
Regulatory Management Division

Date